

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
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WILLIAM R. COUCH,)	
)	Civil Action No. 7:09cv00434
Plaintiff,)	
v.)	<u>FINAL ORDER</u>
)	
JOHN JABE, <u>et al.</u> ,)	By: Hon. James C. Turk
)	Senior United States District Judge
Defendants.)	

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that Defendants Jabe, Garman, Braxton, Swisher, and Ryder's Motion for Summary Judgment (Docket No. 21) is **DENIED**. Plaintiff Couch's Motion for Summary Judgment (Docket No. 16) is **GRANTED**. The Defendants are hereby **ENJOINED** from applying the current Operating Procedure 803.2. This injunction is **STAYED** for a period of sixty days from the date of this Order to allow the Virginia Department of Corrections to amend, modify, or revise the current Operating Procedure 803.2. The Clerk of Court is directed to strike the case from the active docket of this court and to send a copy of this Order and accompanying Memorandum Opinion to Plaintiff and counsel of record for all Defendants.

ENTER: This 31st day of August, 2010.

[Signature]
Hon. James C. Turk
Senior United States District Judge